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H – 675

International Court of Justice

H0675 - 0002

Notice.

Not to be published until presented before the tribunal in open court and then only that portion actually submitted as evidence.

Ne pas publier avant présentation devant le tribunal en audience publique et seulement la partie réellement versée au dossier.

Nicht zu veroeffentlichen vor Darlegung vor dem Gericht (Tribunal) in oeffentlicher Sitzung und dann nur jenen Teil, welcher tatsaechlich zur Beweisfuehrung uebermittelt wurde.

Не публиковать до того, как представлено на публичном заседании Трибунала и только ту часть, которая представлена в качестве доказательства.

H0675 - 0003

I certify that none of the documents included herein have been denied by the Tribunal and that this document book has been examined with the prosecution in accordance with the ruling of the Tribunal dated 4 April 1946.

Je certife qu'aucun des documents ci-inclus n'a été contesté par le Tribunal, et que ce livre de documents a été examiné par le Ministére Public suivant les règles du Tribunal, en date du 4 Avril 1946.

Ich bestaetige, dass keine der hierin enthaltenen Dokuments vom Gerichtshof abgelehnt wurden und dass dieses Dokumentenbuch gemeinsam mit der Anklagevertretung durchgesehen wurde, in Uebereinstimmung mit der Entscheidung des Gerichtshofes vom 4. April 1946.

Signature of Counsel

Signature de l'Avocat

Unterschrift des Verteidigers.

H0675 - 0004

Cover of Document Jo 6 0
AJ 7

Deposition

of Infantry General Walter B u h l e

dated 14th March 1946

Filed June 7, 1946

H0675 - 0005

J o 60
J 7
(Questionnaire General Buhle)

C o p y

Army Services Forces
Third Service Command
Fort George G. Meade, Maryland

14th March 1946

I answer to the questions put to me by Prof. Dr. Exner on 6th January as follows:

1) In what command were you in the latter years of the war?

Answer: Chief of the Army Staff attached to the Chief of OKW.

2) Since when did you hold the position of Chief of the Army Staff?

Answer: 13th January 1942.

3) Is it true that in this capacity you took part in nearly all discussions about the situation with the Fuehrer?

Answer: It is true.

4) According to a shorthand report, you also took part in the discussion about the situation in the evening of 1st December 1942, at which there was a long exchange of views between the Fuehrer and J o d l concerning the combating of Partisans in the East. Is that true?

Answer: I did take part in that conversation, but I can no longer recall the date.

5) Is it true or not that on that occasion J o d l asked the Fuehrer to retract the draft which he had had made about combating guerillas?

Answer: It is true.

6) Is it true or not that in this draft the burning of villages was expressly forbidden?

H0675 - 0006

7) Is it true or not that the Fuehrer wanted to have that veto set aside?

Answer: As I did not have the draft of the orders in my hands I am not certain whether the burning of villages was expressly forbidden. That is to be presumed, however, as I can remember that the Fuehrer opposed individual clauses of the instructions and demanded the burning of villages.

8) Is it true or not that the Fuehrer also opposed the draft because he did not wish any restrictions to be imposed on soldiers who were actually fighting the partisans?

According to the records, Jodl then made the remark: "There is no question at all about that in this case. They can do what they like when actually fighting: hang them, hang them upside down or quarter them, there is no mention of that in the draft.

The only restriction concerns reprisals after battle in those territories in which guerillas were active..."

Answer: It is true that the Fuehrer had basic objections to these restrictions. Jodl's remark is true in substance. But I cannot remember the exact words used.

9) Is it true or not that after this remark those present (the Fuehrer, Keitel, Franke and you yourself), including the Fuehrer, laughed and that he abandoned his point of view?

Answer: It is probable that we all laughed at Jodl's remark. Whether the Fuehrer actually gave up his way of looking at things, I am not certain. But it appears to me possible.

10) So how were the expressions "hang, hang upside down, quarter" understood?

Answer: The expressions "hang, hang, hang upside down, quarter" could, when all is said and done, only be taken ironically and understood to mean that according to the instructions no further restrictions were to be imposed on soldiers when in battle.

11) Can you say anything about the basic attitude Jodl took towards the duty of the Armed Forces to keep within the bounds of international law in warfare?

H0675 - 0007

Answer: I do not know what was Jodl's basic attitude. I only know from Keitel, Jodl's and my superior officer, that he always tried to keep within the bounds of international law.

12) Can you remember any individual instances bearing upon this point?

Answer: No.

13) Was it ever your experience that J o d l induced the Fuehrer to give a command that would be contrary to international law?

Answer: No.

(sgd.) Walter Buhle
Infantry General

Fort George G. Meade, Maryland

14th March 1946

The undersigned bears witness that the above answers by Prisoner of War General Walter Buhle were made in his presence.

(sgd.) F. S. Youkstetter
1st Lieut., A. C. JUS.

I hereby certify that the above document is a true copy of the questionnaire put to Infantry General W a l t e r B u h l e.

Nuernberg, 22nd April 1946 (sgd.) Prof. Dr. Exner

H0675 - 0008

Filed June 8, 1946

Jo 61
AJ 8

Deposition by

Lieutenant Colonel, Army General Staff

H e i n z W a i z e n e g g e r

dated 19th April 1946

H0675 – 0009

Jo 61.
AJ 8

(Questionnaire to Lt. Col. Waizenegger)

Copy

Prof. Dr. E x n e r,
Defense Counsel for
A. J o d l.

Nuernberg, 13th March 1946

To: Lieutenant Colonel W a i z e n e g g e r,
Army General Staff.

(possibly in PW Camp Niederroon in Hessen).

1) What was your Service appointment during the years 1942 to 1945?

2) Is it true or not that the tasks of the purely operational conduct of the war, in addition to the verbal reports and consultations with the Fuehrer, took up so much of the time of General J o d l that he could not attend to any other matters beyond the Armed Forces report and the Press?

3) Is it true or not that you did not submit many documents and commands that did not concern the operative conduct of the war to your Chief J o d l, but kept them back in order to relieve him of work?

4) Did you not propose to Jodl, for the same reason, to leave the daily consultation with the Fuehrer about the situation to be dealt with by General W a r l i m o n t, in order that J o d l might devote himself entirely to the large strategical and operational problems of conducting the war?

5) Can you confirm that for this reason a sharing of work was made between K e i t e l and J o d l in such a manner that Jodl only dealt with the purely military conducting of the war, whilst Keitel attended to all other matters not immediately bound up with it, through the Quartermaster's Department of the Armed Forces Operations Staff?

6) You were present at all the consultations with the Fuehrer about the situation. Was there ever, in the presence of J o d l, any mention of extermination of Jews, atrocities in concentration camps, etc.?

(sgd.) Prof. Dr. E x n e r

Continuation of Jo 61
AJ 8
(Deposition by Lt. Col.
Waizenegger)

Copy

Neu-Ulm, Germany
19th April 1946

Today there appeared before me the undersigned, Lieutenant Colonel Heinz Waizenegger, JSN 31 G - 6320327, to be sworn in this matter. After he had been instructed as to his rights and having been sworn in accordance with the law, he made the following statement:

1) From November 1942 to 28th February 1945 I was adjutant to General Jodl.

2) The purely operative tasks of conducting the OKW theaters of war took up so much of my Chief's time that he could not take time off to deal with administrative or other matters beyond those concerning the conducting of war. He also had very little time to spare for Pressmen and for the Armed Forces report. Discussions on the situations with the Fuehrer often took up 6 to 8 hours daily. In addition there were many reports by General Staff Officers of the Armed Forces Operational Staff. Although General Jodl worked every night till 4 a.m. the load of work imposed on him by the operative conducting of the war could hardly be coped with.

3) In order to lighten General Jodl's work somewhat, I passed many documents and commands that had nothing to do with the operative side, and whenever they were not important, straight to the competent people on the Operations Staff of the Armed Forces to be dealt with by them.

4) For the same reason I also proposed to General Jodl to get General Warlimont to attend at least part of the consultation about the situation with the Fuehrer, and this was done. General Jodl was then enabled to pay more attention to purely operative questions.

H0675 - 0010

H0675 - 0011

5) This division of work was actually carried out. Jodl did not concern himself to any extent with administrative matters and only occasionally asked for the broad lines of such questions through the Quartermaster of the WFST. Keitel mostly dealt with the QM directly and often called upon him to report. When a general staff officer returning from a journey to one of the OKW theaters of war presented his report, Jodl only concerned himself with questions regarding actual operations. Keitel attended to everything else.

6) I was present at most of the consultations re. the situation.

7) At these discussions, which I attended, there was never any mention of extermination of Jews or atrocities in concentration camps. Nor do I think they were ever mentioned at the meetings which I did not attend. The Reichsfuehrer SS and Gruppenfuehrer Fegelein were very often alone with the Fuehrer at such meetings. I presume that such matters were then dealt with. I consider it out of all question that Jodl got to know of these cruelties, as all this was dealt with very secretly at Headquarters. In the 2½ years of my activity under Jodl I got to know him as a typical soldier with a keen sense of justice. I am convinced that Jodl would have condemned atrocities in concentration camps and against Jews very severely.

That is the end of his deposition.

(sgd.) Heinz Waizenegger,
Lt. Col. ISN 31 G - 6320327

Sworn and signed in my presence on 19th April 1946:

(sgd.) William E. Hensel,
Capt. 47th Inf.
Summary Court

I hereby certify that the above document is a true copy of the questions put to Lieutenant Colonel Heinz Waizenegger and of his answers to them.

Nuernberg, 22nd April 1946 (sgd.) Prof. Dr. Exner

H0675 - 0012

Jo 62

AJ 9

Filed June 4, 1946

A f f i d a v i t

by

Infantry General Rudolf T o u s s a i n t ,

dated 3rd April 1946.

H0675 - 0013

Jo 62

AJ 9

(Affidavit by

General Toussaint)

Copy

AFFIDAVIT

Before me, the undersigned officer, entitled to receive affidavits such as the present one, there appeared Rudolf T o u s s a i n t , internee 5844, interned in Internment Camp 78 at Zuffenhausen, Germany . After he had been sworn in the proper manner, he made the following declaration: -

1) Question: What is your name?

Answer: Rudolf TOUSSAINT.

2) Question: What was your rank in the German Army?

Answer: Infantry General.

3) Question: Is it true or not that in the summer of 1938 you received a command to protect the German Embassy in Prague and the lives of all Germans in the Embassy ?

Answer: Yes, that is true and I remember the fact that this command was probably given to me by telephone in September 1938. But I can no longer recall the name of the person who gave it to me. As a rule, orders were given to the military attaché through an officer of the Attaché 's Department.

4) Question: Is it true or not that the German embassy was repeatedly seriously threatened and that excited demonstrations took place in front of it ?

Answer: It is true that the German embassy was seriously threatened about the month of September 1938 during a demonstration which took place in front of it. That was the day on which the excited population of Prague marched to the castle, in order to demonstrate before

H0675-0014

Benes. There were several demonstrations in the city, which of course was quite natural in this period of heated politics. The German embassy was not directly threatened by these demonstrations which took place inside the town and castle.

5) Question: Is it true or not that JODL, who was at that time Colonel on t General Staff, telephoned to you in Prague during Hitler's meeting with Chamberlain at Godesberg, to find out what the situation was like, as it had been reported to him that the embassy had been stormed ?

Answer: I remember quite well that Colonel JODL telephoned to me personally to enquire about the situation. He also informed me th it had been reported to him that the German embassy had been stormed. We were very annoyed that unauthorized agents had communicated provocative news of this kind to the Fuehrer's headquarters.

6) Question: What was the reason for the Czechoslovakian mobilisation in May 1938 ?

Answer: My personal opinion is that the Czechoslovakian government want to force a clearcut statement from its political Allies. I was informed by the Czechoslovakian Chief of the General Staff KREJCI that the reason for the mobilisation was that he had precise information that in the district around Dresden ten t twelve German divisions had marched in and that he could not much longer delay in taking counter-measures.

7) Question: What opinion had you in August 1938 about the situation in Czechoslovakia, particularly in the Sudetenland ?

Answer: In August 1938 I had the impression that the German population in the Sudetenland was definitely decided, as a result of National Socialist propaganda, to force through their separati from the Czechoslovakian State. The Czechoslovakian government, in a quite understandable manner, tried to avoid that decision by issuing the "Autonomy" law. But they did not receive suffici support for their point of view from their Allies.

H0675 - 0015

(signed) Rudolf Toussaint
Internee 5844
Camp 78
Zuffenhausen, Germany.

Sworn and subscribed to before me, this 3rd day of April 1946:

(signed) Benatt M. Reynolds

2nd Lt. CMP
01799596
Investigator
War Crimes Branch
Ludwigsburg Detachment
APO 758.

I, T/5 Carl T. Metzger, after being sworn, certify that I am thoroughly conversant with the English and German languages, and that I have faithfully interpreted and translated the above statement:

(signed) T/5 Carl T. Metzger

36922621
Interpreter
War Crimes Branch
Ludwigsburg Detachment
APO 758.

I hereby certify that the above document is a true copy of the affidavit made by General Rudolf T o u s s a i n t .

Nuernberg, 22nd April 1946.

(signed) Prof. Dr. Exner.

H0675 - 0016

(Page 204 of Orig.)

Filed June 4

Cover to Jo 63

A J 10

Declaration in lieu of oath by

the Generalstabsrichter Dr. LEHMANN

dated 24 April 1946.

H0675 - 0017

Jo 63

AJ 10

(statement in lieu of oath by Dr.LEHMANN)

Statement in lieu of oath by the

former Generalstabsrichter Dr.LEHMANN.

I have known Generaloberst JODL since 1938. I have not had close official contact with him. I esteemed him for his straight manly character.

During the war I particulary tried to make contact with him, because I needed support in the fight for the maintenance of military justice and for the struggle for righteousness. JODL was reputed to be a man, who openly advocated his opinion before the Fuehrer. I therefore often brought to him my complaints, that HITLER was brushing aside the jurisdiction of the Wehrmacht to him, in spite of the fact that this did not belong to his competence. I also protested to him, that excesses against the inhabitants must be punished severely by us under all circumstances. He understood my trends of thought and assisted me effectively. According to our agreement, I regularly sent him reports and opinions, proving the necessity of severe sentences for crimes against inhabitants, and from time to time also statitics and other material. With this, he was to defend my view-point before HITLER, if an oppertunity should present itself. JODL's marginal notes often showed that he was absolutely of my opinion. He regarded these things not from a political, but from a purely military view-point.

I affirm in lieu of oath that I have deposed this statement to the best of my knowledge and conscience.

NUERNBERG, 25 April 1946 (handwritten)

signed Dr. LEHMANN

I hereby certify that the above document is a verbatim copy of the affirmation in lieu of oath of "Generaloberstabsrichter" Dr.LEHMENN.

NUERNBERG, 28 April 1946 Prof. Dr. EXNER.

H0675-0018

Cover of Jo 64

A J 11

Filed June 3, 1946

A f f i d a v i t

by

General, Armored Command, Nikolaus von Vormann,

dated 27th April 1946.

H0675 – 0019

J o 64

A J 11

(Qustionnaire General
von Vormann)

Prof. Dr. Exner

Defense Counsel
for A. Jodl.

Nuernberg, 21st December 1945

To: Infantry-General v o n V o r m a n n .

1) Did your Gruppenleiter, at that time Major J o d l, General Staff of the Army, take part in an internal political map manoeuvre under the direction of Colonel or General O t t, the object of which was the use of the Armed Forces against an insurrection of the KPD and NSDAP ?

2) Did Major J o d l, General Staff of the Army at that time, make any sympathetic references to the NSDAP prior to 30th January 1933, which gave you the impression that he would assist the seizure of power?

In this connection, do you remember the phrase he coined from Hitler: "You must be someone if you are going to achieve something"?

(signed) E x n e r .

H0675 – 0020

Neu-ulm, 27th April 1946

A f f i d a v i t

Before me, the undersigned, empowered by law to take affidavits in this matter, there appeared to-day General of the Armored Command Nikolaus von Vormann, ISN 38 0 - 5140278. After he had been informed of his rights under Article of War 24, he made the following statement:

1) I can no longer remember a map manoeuvre directed in January 1933 by Colonel or General Ott. But such map manoeuvres did take place at that time.

2) Major, General Army Staff (as he then was) JODL was my Gruppenleiter in 1933. He ran in harness with General von Hammerstein, at that him/Chief of GHQ, and he refused to have anything to do with Hitler and the party. I remember perfect well that at political discussions prior to 30th January he, and Hammerstein often used some very hard expressions about Hitler, such as "charlatan" and "criminal". There is no question that JODL did nothing to assist the NSDAP to seize power. When Hitler was named Reich Chancellor on 30th January 1933, JODL was dismayed and astounded. I remember perfectly well that at his comm I had to call the officers of his group on 30th or 31st January to a meeting In this conversation he declared that: "According to the subsistent system of government and the current laws, Hitler has been named head of the Reich. It is not our place to criticize that, and in particular the attitude of the President of the Reich or of Field Marshal Hindenburg. Further, all criticism of the new measures of the new Chancellor, as was formerly customary, is to be avoided as being incompatible with his opinions and ours".

Throughout his whole speech real anxiety and apprehension as to the coming development of affairs were apparent. That JODL let fall the expression "You must be somebody to get something achieved" is possible and probable. I cannot remember his precise words any more.

That is the end of the interrogated person's statement.

H0675 - 0021

(signed) v. Vormann,

General, Armored Command,

ISN 31 G - 5140278

Sworn and subscribed to before me, this 24th day of April 1946:

(signed) William E. Hensel,

Capt. Inf.

Summary Court.

I hereby declare that the above document is a true and correct copy of the questionnaire put to General, Armored Command, Nikolaus von Vormann, and of his answers to same.

(signed) Prof. Dr. Exner

Nuremberg, 28th April 1946.

H0675-0022

Cover of Jo 65

A J 12

(Extract of Statement
by General von Greiffenbe:

Filed June 8, 1946

Extract from Statement

by

Infantry General Hans von Greiffenberg

made 14th March 1946

H0675-0023

Jo 65

AJ 12

(Extract from Statement by General von Greiffenberg)

Extract

from statement by Hans von Greiffenberg

Hearing of Hans von Greiffenberg in Camp No.20 for disbanded enemy forces at Allendorf, Germany, on March 14th 1946 by Infantry 1st Lieutenant Vernon L. Davis, interrogation officer War Crimes Section of the Higher Military Cour 7th U.S. Army.

Hearing of the witness

Question: Is it true that, after the coup d'état by the army, Yugoslavia immediately began to assemble its armies on all its frontiers?

Answer: I only know the front which lay opposite the 12th German army and which was on the Bulgarian frontier. There the Yugoslavs had assembl their armies on the frontier.

Question: Is it true that the "List" army - whose commander you then were - had received a command before the coup d'état to carefully respect Yugoslavia's neutrality during the approaching attack on Greece and that not even supply trains were to be sent through Yugoslavian territory?

Answer: I can certify that strict orders were given to respect Yugoslavian neutrality.

Question: Did you ever hear of any violations of this order?

Answer: No.

I swear that the above facts and my testimony, as recorded, are the truth, the whole truth and only the truth, so help me God.

(signed) Hans von Greiffenberg

H0675 - 0024

Subscribed and sworn to before me on March 14th 1946,

at Allendorf, Germany :

(signed) Vernon E. Davis,

1st Lt. Inf.

War Crimes Section

of the Higher Military Court,

7th U.S. Army.

I hereby certify that the above document is a true extract from Infantry General Hans von Greiffenberg's statement.

Nuernberg, 5th May 1946 (signed) Prof. Dr. Exner.

A. Jodl 14 additional translation part in cross-exam.

SEC-24.6/C-119.

(Translated Extracts)

S.O. Only

Access only through an officer Gp H.Qu. 13.3.40

Group XXI
0 Qu/Qu 2 1/40 G.Kdos. Chefs.

From D-Day this instruction will be treated as secret.

Most Secret 138 Copies
90th Copy.

This order may only be issued at the same time as the tactical instructions.

Special instructions on the attitude to be adopted in the occupation of Denmark and Norway.

A) General +

. . . . . .

B) Special Military Measures ++

C) Attitude towards Danish and Norwegian authorities +++

D) Economic Measures++++

E) Other Measures +++++

Checked signed v.Falkenhorst

Col. Gen. Staff

+ Deals with démarches to be made on D-Day vis-à-vis Danish and Norwegian governments.

++ Lays down steps to be taken regarding Danish and Norwegian troops, ships, aircraft etc.

+++ Civil authorities, railways and police to continue to work. Communications to outside world to cease.

++++ Lists German naval officers who are to see that Danish and Norwegian economic machine continues to work, and sets out the steps to be taken.

+++++ Include treatment of enemy Legations etc., enemy nationals, Danish and Norwegian wireless, press, cable service, propaganda and justice.

H0675 – 0025

H0675 - 0026

SEC-24.6/C-119

Distribution:-

Div Commanders	3 each	18
Infantry Brigade Commanders	1 each	18
Staff XXXI Army Corps		5
Division Commanders	3 each	9
Infantry Brigade Commanders	1 each	9
Work-Organisation KNAUSS (L) together with Air Force Units		15
Work-Organisation KRANCKE together with Command-posts of the Navy		15
Main Head-Quarters (Lt/Col. WEINKNECHT)		1
Army Administration Branch (Lt/Col. KOEHLER)		1
Supreme Command Armed Forces L.(Lt/Col. BOEHME)		3
Group XXI. Chief		1
Ia 1		1
Ia 2		1
Ic		1
IIa III	1 each	2
IVa IVb IVc	1 each IV W1 - 8	11
Commander of H.Q.		1
BV. Technical Officer, Signals-Commander	1 each	2
O.Qu.,Qu 1, Qu 2, Qu 3		4
O.Qu. Reserve		20
	Copies	138

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Translator's Note:-

In the following pages of the document the names of the complete staff of the German Embassy in Oslo are published, as well as the names of the staff of the Consulates and Honorary Consulates in Norway. This is followed by naming the Military Attachés of Denmark, Norway and Sweden, and the Norwegian and Danish Cabinets. In appendix three the constitution and history of Norway and Denmark are given in detail, in order to bring about an understanding with the population of these two countries once they have been taken over by Germany. Psychological reactions of the populations of Norway and Denmark are discussed in appendix four as is the way of treating these peoples, if good results are to be achieved.

H0675 - 0027

Appendix 5.

SEC-24.6/C-119

"Guiding principles for the attitude of troops in the occupied areas".

The Hague Convention for Land Warfare assures the population of an occupied country far-reaching protection by the occupying power. Above all, the honour and the rights of families, the life of the citizens and private property, as well as religious convictions and services must be respected. (Articles 46, 55 and 56 of the Hague Convention for Land Warfare).

Fundamental principle for the troops: the greatest caution and most extreme reserve vis-à-vis the civil population! Inadvisable blind confidence can entail an endangering of the troops.

Firm cohesion, discipline amongst the troops, painstaking execution and superintendence of the required security measures are the best protection.

Only in the event of the civil population putting up a resistance or behaving rebelliously can the following decisions be carried out:-

" 1). If the civilian population offers resistance or if attacks by the population on our troops or their lines of communications must be feared, the arrest of hostages should, on principle, be resorted to. Hostages should only be arrested on orders of a brigade commander, independent battalion commander or commander of equivalent rank.

The hostages should, if possible, be chosen from those circles of the population which are expected to carry out hostile acts.

When accomodating and feeding hostages it should be borne in mind that, although the hostages should be under the strictest guard, they are not imprisoned because of crimes.

Hostages and population are to be informed that the hostages will be shot at any sign of any hostile action. Previous sanction of the shooting by the Divisional Commander must, however, be obtained.

Should attacks on the troops or their lines of communication nonetheless occur, or signs of resistance make themselves apparent, the hostages are immediately to be moved under strict guard to a prisoners-collecting-camp (transport ticket). At the same time the Division is to forward with all speed a report about the occurence and a proposal of the suggested measures (shooting or further detention).

2). Armed resistance by the civilian population is to be crushed by force of arms.

If danger is imminent, every commander is obliged to take all necessary measures.

The death penalty will be imposed for violence of any kind against the German Armed Forces or their members in the occupied territory.

H0675-0028

SEC-24.6/C-119

Immediate trials will take place by Field Court Martial (Summary Court or ordinary Court Martial.) The Regimental Commander can appoint the Summary Court which will be composed of 1 Captain, 1 Sergeant, 1 Corporal, hear witnesses and draw up the sentence in writing. The verdict will be the Death penalty if guilty, otherwise acquittal. The sentence will be executed immediately after confirmation by the Regimental Commander.

The following, i.a., are to be considered as acts of violence: sabotage, destruction of our lines of communication, cutting of telephone wires, demolitions, etc."

In para 3). of this document instructions relating to the treatment of "franc-tireurs" are given. These are to be treated not as prisoners of war but as criminals, and if found guilty by the Field Court Martial, are to be condemned to death and the sentence must be carried out by shooting immediately on confirmation by the Commander who has appointed the Court.

Translator's Note:-

Para 4 lays down that looting will be very severely dealt with.

Para 5 deals with measures of force to restore order.

Para 6 declares that forced taxes are not to be collected.

Filed June 13

SUPPLEMENTAL DOCUMENTS FOR THE DEFENDANT JODL.

Jo 66 A. J. 17.

Jo 67 A. J. 18.

English

H0675 - 0029

H0675 - 0030

Notice.

Not to be published until presented before the tribunal in open court and then only that portion actually submitted as evidence.

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H0675 - 0031

I certify that none of the documents included herein have been denied by the Tribunal and that this document book has been examined with the prosecution in accordance with the ruling of the Tribunal dated 4 April 1946.

Je certife qu'aucun des documents ci-inclus n'a été contesté par le Tribunal, et que ce livre de documents a été examiné par le Ministére Public suivant les règles du Tribunal, en date du 4 Avril 1946.

Ich bestaetige, dass keine der hierin enthaltenen Dokuments vom Gerichtshof abgelehnt wurden und dass dieses Dokumentenbuch gemeinsam mit der Anklagevertretung durchgesehen wurde, in Uebereinstimmung mit der Entscheidung des Gerichtshofes vom 4. April 1946.

Signature of Counsel

Signature de l'Avocat

Unterschrift des Verteidigers.

H0675-0032

Cover Sheet to A.J. 17
H Jo 66

Excerpts from

Report of the German High Command of the Wehrmacht,

dated 2 September 1942.

H0675 - 0033

A.J. 17
Jo 66
(Wehrmacht report
of 2 September 1942)

Excerpts from

Report of the Wehrmacht High Command of 2 September 1942

Voelk. Beobachter of 3 September 1942, 246 edition, 55th year, South German edition).

.....

The Wehrmacht High Command furthermore announces the following: In the English order captured at Dieppe, appendix I, paragraph 4.), line B (2) it reads:

"Wherever possible the prisoners' hands should be tied, so that they cannot destroy their papers."

x)
In the official version of the Wehrmacht High Command (OKW) dated 30 August 1942 this extract of the English operational order was published among others. The English Government did not take any stand with regard to it. Therefore, OKW ordered that all British officers and soldiers captured at Dieppe shall be handcuffed beginning 3 September 1942, 14:00 o'clock. The reason for this treatment was made known to the prisoners. This measure will only be rescinded when the British Government rescinds officially the above described order about handcuffing of German prisoners of war.

The High Command of the Wehrmacht further declares that all future wildwest methods of this kind, which represent a disgracing and disrespect of brave soldiers will be answered at once with the sharpest reprisals.

The German troops have up to now - numerous photos of Dieppe prove it- treated and fed the captured Britons like decent opponent. It is up to the

x)
s.V.B 30-8-42 with
date of 29-8-42

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British military leadership to judge whether the change in the treatment of prisoners caused by them after the experiences of Dieppe will affect more German or British prisoners.

I hereby certify that the above reproduced document is a word for word extract from the "Voelkischer Beobachter of 3 September 1942, 246 edition, 55th year.

Nuernberg 2 June 1946

Prof. Dr. Exner

H0675 – 0035

Cover sheet for A.J. 18
Job 67
(Wehrmacht report of
7 October 1942

Excerpt from
Report of the High Command of the German Wehrmacht dated
7 October 1942

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A.J. 18
Jo 67
(Wehrmacht Communique
of 7 October 1942)

Extract from

Communique of the High Command of the "Wehrmacht" of 7 October 1942 ("Voelkischer Beobachter", 8 October 1942 South German edition, page 1)

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The High Command of the Wehrmacht further makes known: ..... After the unsuccessful landing attempt at Dieppe, a captured British directive which ordered that the German prisoners be shackled has forced the High Command of the Wehrmacht to announce corresponding counter-measures for the protection of the German soldier. There upon the British War Ministry declared on 2 September: It is emphatically denied that the hands of any German prisoner were shackled. Any such order, should it have been issued, will be revoked.

Meanwhile, both statements of the British War Ministry appear to have been issued in a negligent manner without prior examination or to constitute deliberate lies.

The interrogation in court of a German noncommissioned officer, a corporal and 5 privates as well as 5 men of the Organisation Todt, who temporarily became British prisoners at Dieppe and were rescued later reveals that all of them were manacled anywhere from 10 minutes up to 1 1/2 hours. Either their hands were bound on their back, or their joints, in part even individual fingers, were bound before their chest. Beyond this, a similar shameful incident

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occured on the channel island S e r c q on 4 October. There 16 Englishmen attacked a German labor unit consisting of 1 noncommissioned officer and 4 men. These men wearing only their shirts were bound with a thin but very strong intertwined cord, prevented from donning more clothes and led away to the beach. As the German soldiers resisted this unheard of treatment, the noncommissioned officer and one man were killed by shooting and stabbing with bajonets and one man was wounded. These facts were confirmed by the statement of one engineer who managed to escape in the ensuing scuffle. On investigation revealed that the shackling was prepared according to a prepared plan.

Thus the German High Command of the Wehrmacht is in the possession of undeniable proof that both statements made by the British War Ministry on 2 September 1942 were made untruthfully.

The High Command of the Wehrmacht therefore feels compelled to order the following:

1.) Beginning 8 October, noon, all British Officers and men captured at Dieppe will be laid in shackles.

This measure will remain in effect until the British War Ministry proves that, in the future it will make truthful statements about manacling of German prisoners of war or until it has secured the authority necessary to prevail upon troops to carry out its orders.